

EXHIBIT A

CAM

Designation List Report



Amundson, Curtis

2014-04-03

| | |
|--------------------------------|-----------------|
| Defense | 00:27:01 |
| Plaintiff | 00:04:50 |
| Response to Planitiff Counters | 00:00:51 |
| TOTAL RUN TIME | 00:32:41 |



Documents linked to video:

73
83
84
88
89
91
97
98
1228



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| DESIGNATION | SOURCE | DURATION | ID |
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| 8:03 - 8:05 | Amundson, Curtis 2014-04-03 8:03 CURTIS MILES AMUNDSON, PhD, 8:04 called as a witness herein, having been first duly 8:05 sworn, was examined and testified as follows: | 00:00:08 | CAM.1 |
| 9:06 - 9:09 | Amundson, Curtis 2014-04-03 9:06 Q. Are you currently employed, Mr. Amundson? 9:07 A. I am not. I'm retired. 9:08 Q. And when did you retire? 9:09 A. I retired on December 30, 2012. | 00:00:10 | CAM.2 |
| 9:14 - 11:14 | Amundson, Curtis 2014-04-03 9:14 Q. Okay. And was your employer Kraft at the 9:15 time of your retirement? 9:16 A. Yes. 9:17 Q. What was your job title at Kraft? 9:18 A. I was Associate Director of Procurement. 9:19 Q. And what were your responsibilities in 9:20 that title? 9:21 A. Well, there were several different 9:22 responsibilities. First and foremost was the 9:23 management of the formula system, and that is the 9:24 least cost optimization program for Kraft meats, 9:25 Oscar Mayer plants. 10:01 Secondly, I dealt with some materials 10:02 coming in and out of the freezer correcting the 10:03 operations, and that was just optimal use of 10:04 raw materials. Thirdly, I had a scientific issues 10:05 role, and that included a number of issues, of 10:06 which animal welfare was one of them, from a 10:07 procurement standpoint. 10:08 Let's see, what else did I do? In a 10:09 nutshell that covers the three main areas. 10:10 Q. Okay. And when did you begin in that role 10:11 at Kraft? 10:12 A. I became the Director of Procurement in 10:13 1999. 10:14 Q. Okay. 10:15 A. And then as a job evaluation Kraftwide, 10:16 it became an assistant director post a year or 10:17 two later. 10:18 Q. Okay. And what's the highest level of | 00:02:37 | CAM.3 |


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| | 10:19 education that you achieved? | | |
| | 10:20 A. I have a PhD in Meat Science from | | |
| | 10:21 Iowa State. | | |
| | 10:22 Q. Okay. Were you involved -- I wonder if | | |
| | 10:23 you could tell me a little bit more about your | | |
| | 10:24 involvement in animal welfare issues at Kraft. | | |
| | 10:25 What specifically did you do with regard | | |
| | 11:01 to animal welfare at Kraft? | | |
| | 11:02 A. I was, I was basically a scientific issues | | |
| | 11:03 liaison for the procurement group specifically. | | |
| | 11:04 I had an interest in animal welfare, | | |
| | 11:05 and so that started out by exploring issues, such | | |
| | 11:06 as cloning, that was, you know, topics that arose | | |
| | 11:07 that were important to the company that I might | | |
| | 11:08 have been able to contribute to or learn about. | | |
| | 11:09 And so that actually -- I consider it a | | |
| | 11:10 more scientific issues than animal welfare, | | |
| | 11:11 because it really started that way. | | |
| | 11:12 And then one of those issues that | | |
| | 11:13 arose was animal welfare as related to primarily | | |
| | 11:14 Oscar Mayer meat animals. | | |
| 14:14 - 14:18 | Amundson, Curtis 2014-04-03 | 00:00:17 | CAM.4 |
| | 14:14 Q. Okay. All right. When did you first | | |
| | 14:15 become involved in animal welfare issues at Kraft? | | |
| | 14:16 Do you remember the year? | | |
| | 14:17 A. I don't know the exact year. It had to be | | |
| | 14:18 around the 2004ish time frame. | | |
| 16:25 - 17:16 | Amundson, Curtis 2014-04-03 | 00:00:57 | CAM.5 |
| | 16:25 Did Kraft have an animal welfare task | | |
| | 17:01 force? | | |
| | 17:02 A. Kraft had a meat and poul- -- the | | |
| | 17:03 Oscar Mayer division of Kraft had a meat and | | |
| | 17:04 poultry committee that put together an animal task | | |
| | 17:05 force to look at those issues. | | |
| | 17:06 Q. Okay. And did the Oscar Mayer division | | |
| | 17:07 have responsibility for egg procurement as -- | | |
| | 17:08 along with meat procurement? | | |
| | 17:09 A. It did for a short period of time. And | | |
| | 17:10 I don't know the exact dates, but there was a | | |
| | 17:11 period of time where Kraft decided to have all | | |

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| | 17:12 animal proteins purchased through the Oscar Mayer | | |
| | 17:13 meat procurement, and that included eggs. | | |
| | 17:14 Q. Okay. And were you a member of that task | | |
| | 17:15 force that was under the Oscar Mayer umbrella? | | |
| | 17:16 A. Yes. | | |
| 17:17 - 17:20 | Amundson, Curtis 2014-04-03 | 00:00:19 | CAM.6 |
| | 17:17 Q. Okay. When was that task force formed, | | |
| | 17:18 do you recall? | | |
| | 17:19 A. There were two different -- there was an | | |
| | 17:20 earlier task force that looked into companywide. | | |
| 18:04 - 18:10 | Amundson, Curtis 2014-04-03 | 00:00:32 | CAM.7 |
| | 18:04 A. The first one looked at dairy, slaughter | | |
| | 18:05 animals, eggs, and didn't really go anywhere. | | |
| | 18:06 The second one, which was this one, which | | |
| | 18:07 was borne out of the meat and poultry issues team, | | |
| | 18:08 went mostly to slaughter, although you see some | | |
| | 18:09 eggs also there. But that was a later -- that was | | |
| | 18:10 the second shot at it. | | |
| 19:08 - 19:09 | Amundson, Curtis 2014-04-03 | 00:00:08 | CAM.8 |
| | 19:08 Q. Let's talk about that earlier group or | | |
| | 19:09 task force. Did it have a name that you recall? | | |
| 20:05 - 20:06 | Amundson, Curtis 2014-04-03 | 00:00:02 | CAM.9 |
| | 20:05 A. I don't recall the first one having a | | |
| | 20:06 name. | | |
| 20:07 - 20:10 | Amundson, Curtis 2014-04-03 | 00:00:14 | CAM.10 |
| | 20:07 Q. Okay. Do you know when it was formed? | | |
| | 20:08 A. It had to be 2003 or 4. | | |
| | 20:09 Q. Were you personally involved in it? | | |
| | 20:10 A. Yes, I was. | | |
| 20:21 - 21:02 | Amundson, Curtis 2014-04-03 | 00:00:21 | CAM.11 |
| | 20:21 Q. Do you know why that first initiative was | | |
| | 20:22 undertaken? | | |
| | 20:23 A. Well, I think all of the -- the birth of | | |
| | 20:24 all of the initiatives was the growing concern | | |
| | 20:25 about animal welfare becoming an issue and us not | | |
| | 21:01 having a position on the issue that we could | | |
| | 21:02 communicate. | | |
| 21:21 - 21:22 | Amundson, Curtis 2014-04-03 | 00:00:05 | CAM.12 |


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|  73.1 | 21:21 Q. Mr. Amundson, I'm going to hand you what 21:22 we've marked as Amundson 2. This is a document | | CAM.12 |
| 22:07 - 22:11 | Amundson, Curtis 2014-04-03 22:07 Q. Okay. And what is this? 22:08 A. It sounds like the start of that 2004  73.1.1 22:09 animal affairs task charter. 22:10 Q. Okay. So this was the companywide one? 22:11 A. Correct. | 00:00:10 | CAM.13 |
| 22:13 - 22:21 | Amundson, Curtis 2014-04-03 22:13 And do you see the sponsor listed there, 22:14 Marcy Glenn? 22:15 A. Uh-huh. 22:16 Q. And there's a description of the 22:17 "Sponsor's Role" below that. It says to 22:18 "Provide senior management support for the 22:19 exploration and potential development and 22:20 implementation of the KFT animal welfare policy." 22:21 A. Uh-huh. | 00:00:16 | CAM.14 |
| 23:23 - 24:12 | Amundson, Curtis 2014-04-03 23:23 Q. Okay. A little further down in the 23:24 document under "Rationale," it notes "The issue  73.1.2 23:25 has been championed by NGOs." 24:01 Do you know which NGOs were championing 24:02 this issue? 24:03 A. Well, the issue is animal welfare in 24:04 general. And the NGOs would be PETA, HSUS. Those 24:05 are the key players. 24:06 Q. Okay. And was Kraft paying attention to 24:07 PETA and HSUS in the 2004 time frame? 24:08 A. Define paying attention. 24:09 Q. Paying attention enough to note PETA and 24:10 HSUS efforts as a rationale for beginning this 24:11 task force. 24:12 A. Yes. | 00:00:42 | CAM.15 |
| 24:23 - 25:03 | Amundson, Curtis 2014-04-03  73.1.4 24:23 Q. And do you know which KFT major suppliers 24:24 were being referred to here? 24:25 A. I don't know. I could name a couple. 25:01 That would be the Tyson Foods and the folks that | 00:00:18 | CAM.16 |

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| | 25:02 were slaughtering birds and slaughtering the red 25:03 meat animals. | | |
| 26:05 - 26:06  1228.1.1 | Amundson, Curtis 2014-04-03 26:05 Q. I'm going to hand you what we'll mark as 26:06 Amundson 3. This is Bates labeled KRA00025493. | 00:00:12 | CAM.17 |
| 26:10 - 26:16  1228.1.2 | Amundson, Curtis 2014-04-03 26:10 Q. Okay. Do you know what this document is? 26:11 A. Other than it looks like a continuation of 26:12 the prior one. 26:13 Q. It looks like -- so the prior one is 26:14 dated January 2004. This one is dated April 2005, 26:15 right? 26:16 A. Uh-huh. | 00:00:13 | CAM.18 |
| 26:20 - 26:23 | Amundson, Curtis 2014-04-03 26:20 Were there meetings and animal welfare 26:21 efforts going on between January 2004 and 26:22 April 2005? 26:23 A. This team had met. We -- I can't say for | 00:00:11 | CAM.19 |
| 26:24 - 26:24 | Amundson, Curtis 2014-04-03 26:24 sure what else went on at that time. | 00:00:06 | CAM.20 |
| 27:19 - 27:20  84.1.1 | Amundson, Curtis 2014-04-03 27:19 Q. I'll hand you what we'll mark as 27:20 Amundson 4. | 00:00:04 | CAM.21 |
| 27:24 - 28:16  84.1.5  84.1.3 | Amundson, Curtis 2014-04-03 27:24 Q. Okay. And what is this document? 27:25 A. It looks like a continuation of the one 28:01 before, but you see the change with the MPPCT as 28:02 the sponsor or as the -- as the overall of this 28:03 group. 28:04 Q. What is the MPPCT? 28:05 A. Meat and Poultry Policy Core Team at 28:06 Oscar Mayer. This was specifically Oscar Mayer as 28:07 opposed to Kraftwide. 28:08 Q. Perfect. So this document is dated May 2, 28:09 2005. It's really just a few days later than the 28:10 April 28, 2005, exhibit that we just looked at. 28:11 A. It looks like it would be an upgrade or a 28:12 redraft of the one before it. 28:13 Q. And it looks like the goal has been | 00:01:02 | CAM.22 |

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| | 28:14 further developed a bit from this document as | | |
| | 28:15 compared to the last one, right? Is that right? | | |
| | 28:16 I'm sorry. | | |
| 28:17 - 28:25 | Amundson, Curtis 2014-04-03 | 00:00:30 | CAM.23 |
| | 28:17 A. Yes, it looks like it has changed. | | |
| | 28:18 Q. So whereas before the goal was to adopt | | |
| | 28:19 and follow generally accepted animal welfare | | |
| | 28:20 guidelines, here the document gets a bit more | | |
| | 28:21 specific noting that "Kraft business units | | |
| | 28:22 will ensure that Kraft and its suppliers and its | | |
| | 28:23 suppliers adopt and follow this policy." | | |
| | 28:24 So there's a bit more specificity here -- | | |
| | 28:25 A. Correct. | | |
| 30:12 - 30:24 | Amundson, Curtis 2014-04-03 | 00:00:40 | CAM.24 |
|  84.1.4 | 30:12 Q. Okay. And under "Tactics" here under this | | |
| | 30:13 exhibit, the first bullet says "Assess current | | |
| | 30:14 animal welfare guidelines and recommendations." | | |
| | 30:15 Who was responsible for doing that? | | |
| | 30:16 A. That would have been the task force | | |
| | 30:17 itself. I would have been involved with that. | | |
| | 30:18 Q. Okay. And what did the task force do to | | |
| | 30:19 go about assessing those guidelines? | | |
| | 30:20 A. Well, it was primarily reading the | | |
| | 30:21 AMI guidelines and the NTF guidelines and the | | |
| | 30:22 National Chicken Council's guidelines, presumably, | | |
| | 30:23 and it may have been me, but somebody read the | | |
| | 30:24 UEP guidelines. That was the assessment. | | |
| 32:10 - 32:19 | Amundson, Curtis 2014-04-03 | 00:00:29 | CAM.25 |
| | 32:10 And the UEP guidelines were reviewed as | | |
| | 32:11 part of this process; is that what you -- is that | | |
| | 32:12 right? | | |
| | 32:13 A. I read them. My main interest was | | |
| | 32:14 slaughter guidelines and animal handling. | | |
| | 32:15 Q. Okay. Do you recall finding anything in | | |
| | 32:16 the UEP guidelines that you found not reasonable? | | |
| | 32:17 A. At the time I didn't know enough about | | |
| | 32:18 egg production to know if something was reasonable | | |
| | 32:19 or not. | | |
| 35:05 - 35:05 | Amundson, Curtis 2014-04-03 | 00:00:03 | CAM.26 |




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| DESIGNATION | SOURCE | DURATION | ID |
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|  89.1.1 | 35:05 Q. I'll hand you what we'll mark as | | CAM.26 |
| 35:06 - 35:06 | Amundson, Curtis 2014-04-03 | 00:00:05 | CAM.27 |
| | 35:06 Amundson 6. This is KRA00049819. | | |
| 35:24 - 36:24 | Amundson, Curtis 2014-04-03 | 00:01:08 | CAM.28 |
|  89.1.2 | 35:24 Q. Okay. So this is the June 1, 2005, 35:25 meeting summary here, right? 36:01 A. Uh-huh. | | |
|  89.1.3 | 36:02 Q. Let's go down to "Follow Ups." We see 36:03 your name. Next to that we see "Catalog 36:04 guidelines developed by," and it lists several 36:05 organizations. And one of them is United Egg 36:06 Producers, right? 36:07 A. Uh-huh. 36:08 Q. Okay. That was your task coming out of 36:09 this meeting, was to catalog those guidelines? 36:10 A. Correct. 36:11 Q. Did you do so? 36:12 A. Correct, yes. Basically get copies of the 36:13 guidelines. 36:14 Q. Okay. Makes sense. 36:15 And another followup, if we turn to the 36:16 next page, by your name is "Inventory current  89.2.1 36:17 suppliers for: animal welfare policies, training 36:18 and audits." 36:19 A. Uh-huh. 36:20 Q. Did you do that? 36:21 A. I did that with the red meat suppliers 36:22 at that time, red and poultry slaughterers. I 36:23 probably contacted -- in fact, I'm sure I 36:24 contacted Rose Acre -- | | |
| 37:02 - 37:10 | Amundson, Curtis 2014-04-03 | 00:00:39 | CAM.29 |
| | 37:02 Q. And what did you do as part of this 37:03 inventory of suppliers, other than contact them? 37:04 A. It depended. The inventory -- the 37:05 initial contact with the suppliers was do you 37:06 do animal welfare audits, well, do you follow 37:07 AMI guidelines, do you do animal welfare audits, 37:08 can you provide me with an example of those 37:09 audits? That would have been inventorying the 37:10 current suppliers. | | |

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| 37:19 - 37:21 | Amundson, Curtis 2014-04-03 | 00:00:13 | CAM.30 |
|  91.1.1 | <p>37:19 Q. I hand you what we'll mark as Amundson 7.</p> <p>37:20 A. Thank you.</p> <p>37:21 Q. This is KRA00014673.</p> | | |
| 37:22 - 39:07 | Amundson, Curtis 2014-04-03 | 00:01:15 | CAM.31 |
| | <p>37:22 A. Okay.</p> <p>37:23 Q. Okay. Do you know what this document is?</p> <p>37:24 A. Uh-huh.</p> <p>37:25 Q. And what is this?</p> <p>38:01 A. This is a summary of the next meeting of</p> <p>38:02 an animal task force.</p> <p>38:03 Q. This is another one of those summaries</p> <p>38:04 that Kraft regularly prepared after it held</p> <p>38:05 meetings, right?</p> <p>38:06 A. Uh-huh.</p> <p>38:07 Q. Okay. And this is dated August 24, 2005,</p> <p>38:08 right?</p> <p>38:09 A. One correction on that one. Every meeting</p> <p>38:10 wouldn't have had a summary, but many of them</p> <p>38:11 would have.</p> <p>38:12 Q. Many of them would have. That's</p> <p>38:13 reasonable. Thank you.</p> <p>38:14 Okay. Let's go down to where it says</p> <p>38:15 "Animal Welfare Guidelines."</p> <p>38:16 A. Uh-huh.</p> <p>38:17 Q. Do you see that it says "For the US,</p> <p>38:18 KFT will use the species-specific animal welfare</p> <p>38:19 guidelines developed by the industry trade</p> <p>38:20 associations as the standard for domestic</p> <p>38:21 produce."</p> <p>38:22 If we skip down, it says "The specific</p> <p>38:23 guidelines we will follow in the US are," skip to</p> <p>38:24 the second bullet, for "Egg laying hens - United</p> <p>38:25 Egg Producers." Right?</p> <p>39:01 A. Uh-huh.</p> <p>39:02 Q. So as of the last meeting in June, you</p> <p>39:03 were tasked with reviewing guidelines.</p> <p>39:04 And here at the end of August it looks</p> <p>39:05 like the task force is recommending specific</p> <p>39:06 industry guidelines?</p> | | |
|  91.1.2 | | | |
|  91.1.3 | | | |
|  91.1.4 | | | |




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| | 39:07 A. Yes. | | |
| 39:23 - 40:20 | Amundson, Curtis 2014-04-03 | 00:01:16 | CAM.32 |
|  Clear | 39:23 Q. Okay. And was the recommendation to use 39:24 the United Egg Producers guidelines and other 39:25 industry guidelines as of August 2005, was that 40:01 Kraft policy or was that the recommendation of 40:02 this group? 40:03 A. That's the recommendation of the group. 40:04 Q. Okay. Why did the group recommend 40:05 following these industry guidelines rather than 40:06 Kraft developing its own? 40:07 A. Kraft -- well, it's included in here, 40:08 the thinking behind that, but the primary thinking 40:09 was every company out there couldn't come up with 40:10 a separate set of requirements. It would be 40:11 unmanageable for the suppliers and also for 40:12 people like Kraft, because we didn't have the 40:13 experts that these industry trade groups had 40:14 devising these. 40:15 So the opinion was we wouldn't be as good, 40:16 we would put an excess burden on the suppliers, 40:17 and the industry updated theirs on a regular 40:18 basis. We'd get into that whole issue. 40:19 So the issue was upgrading requirements 40:20 while not putting a burden on the suppliers. | | |
| 45:02 - 45:03 | Amundson, Curtis 2014-04-03 | 00:00:09 | CAM.33 |
|  97.1.2 | 45:02 Q. I'll hand you what we'll mark as 45:03 Amundson 9. This is KRA18. It looks like the | | |
| 46:02 - 46:16 | Amundson, Curtis 2014-04-03 | 00:00:48 | CAM.34 |
|  97.1.3 | 46:02 Q. Okay. And your cover note here references 46:03 an attached animal welfare proposal put together 46:04 by the team and offered by Chris Beard intended 46:05 for the 5/1 presentation to Warner, Paul and John, 46:06 right? 46:07 A. Correct. 46:08 Q. What was the purpose of the -- this 46:09 May 1st presentation? 46:10 A. This would have been to get to -- this is 46:11 getting higher approval to proceed. John Ruff was 46:12 the head of R&D at the time. And so Werner was | | |


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| | 46:13 obviously one of the leaders of procurement. Like | | |
| | 46:14 I say, I don't know what Paul was. | | |
| | 46:15 Q. Higher approval to proceed with what? | | |
| | 46:16 A. Implementing a policy. | | |
| 47:13 - 47:15 | Amundson, Curtis 2014-04-03 | 00:00:11 | CAM.35 |
|  97.5.1 | 47:13 Q. Okay. Let's look at the document, | | |
| | 47:14 specifically at the page ending in 22, which | | |
| | 47:15 is page 4 of the document. | | |
| 47:16 - 47:16 | Amundson, Curtis 2014-04-03 | 00:00:01 | CAM.36 |
| | 47:16 A. Oh, okay. | | |
| 47:17 - 47:25 | Amundson, Curtis 2014-04-03 | 00:00:23 | CAM.37 |
|  97.5.2 | 47:17 Q. Sir, it notes one, two, three, four | | |
| | 47:18 bullets down that "Some customers are asking | | |
| | 47:19 Kraft to ensure that the meat products they | | |
| | 47:20 purchase come from animals which were treated | | |
| | 47:21 humanely." Do you know which customers those | | |
| | 47:22 were? | | |
| | 47:23 A. I do not know which customers these were. | | |
| | 47:24 One example, however, would be Applebee's bringing | | |
| | 47:25 this up. So there's one. | | |
| 48:02 - 48:16 | Amundson, Curtis 2014-04-03 | 00:00:48 | CAM.38 |
|  97.5.3 | 48:02 Did it make business sense to Kraft to | | |
| | 48:03 develop an animal welfare policy so that it had | | |
| | 48:04 responses to this kind of customer inquiry? | | |
| | 48:05 A. Absolutely. | | |
| | 48:06 Q. And the second bullet notes that | | |
| | 48:07 "Animal welfare is a growing societal concern, | | |
| | 48:08 especially in the U.S. and the E.U." | | |
| | 48:09 Was that -- aside from particular | | |
| | 48:10 customers, was this general concern noted in the | | |
| | 48:11 document something that mattered to Kraft? | | |
| | 48:12 A. Uh-huh. Yes. I'm sorry. | | |
| | 48:13 Q. And why is that? | | |
| | 48:14 A. Well, we serve our customers, and our | | |
| | 48:15 customers' concerns need to be our concerns within | | |
| | 48:16 reason -- the ability to do business. | | |
| 48:18 - 48:19 | Amundson, Curtis 2014-04-03 | 00:00:06 | CAM.39 |
|  97.7.1 | 48:18 And if we turn to two pages later, page 6 | | |
| | 48:19 of the document, it ends in 24. And the third and | | |

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| 48:20 - 49:16 | Amundson, Curtis 2014-04-03 | 00:01:06 | CAM.40 |
| | 48:20 fourth bullets down reference NGOs. We've talked | | |
| | 48:21 a little bit about them. | | |
| | 48:22 Were -- did the -- it mentions | | |
| | 48:23 specifically "NGOs are well funded and effective | | |
|  97.7.2 | 48:24 at communicating their animal welfare concerns to | | |
| | 48:25 consumers." | | |
| | 49:01 Is that a statement you agree with? | | |
| | 49:02 A. Uh-huh. | | |
|  Clear | 49:03 Q. Does it matter for Kraft to -- does it | | |
| | 49:04 make business sense for Kraft to respond to the | | |
| | 49:05 concerns of these NGOs because of the power these | | |
| | 49:06 NGOs have in communicating with consumers and | | |
| | 49:07 Kraft customers? | | |
| | 49:08 A. At this time I don't recall Kraft having | | |
| | 49:09 had a lot of pressure from the NGOs, but you could | | |
| | 49:10 see it coming with what happened at McDonald's, as | | |
| | 49:11 mentioned here. And it was a matter of time until | | |
| | 49:12 it passed to other areas. | | |
| | 49:13 Q. It made sense to get out ahead of the | | |
| | 49:14 issue? | | |
| | 49:15 A. I don't know that in 2006 we were ahead of | | |
| | 49:16 the issue really. | | |
| 49:18 - 49:20 | Amundson, Curtis 2014-04-03 | 00:00:09 | CAM.41 |
| | 49:18 And let's look later in the document to | | |
|  97.22.2 | 49:19 the page ending in 0039, that's page 20 -- it's | | |
| | 49:20 actually the very last page of this document. | | |
| 49:21 - 51:03 | Amundson, Curtis 2014-04-03 | 00:01:51 | CAM.42 |
| | 49:21 Do you see under "The potential benefits | | |
| | 49:22 to Kraft," let's look at the second bullet. Do | | |
|  97.22.3 | 49:23 you see where it says "When customers request that | | |
| | 49:24 Kraft meat certain animal welfare requirements, we | | |
| | 49:25 will be able to communicate our policy and program | | |
| | 50:01 which will be consistent for all of our customers. | | |
| | 50:02 This will allow us to avoid multiple and | | |
| | 50:03 potentially costly compliance programs." | | |
| | 50:04 What does it mean to say consistent | | |
| | 50:05 standards was a benefit to Kraft? | | |
| | 50:06 A. I obviously didn't write that line. | | |
| | 50:07 Q. Fair enough. | | |

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| DESIGNATION | SOURCE | DURATION | ID |
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|  Clear | <p>50:08 A. But if you -- you can't have one set of</p> <p>50:09 standards for each different customer you serve,</p> <p>50:10 because it's too difficult to manage. And not</p> <p>50:11 to mention the fact that somewhere along the line</p> <p>50:12 you may not be telling everyone the right thing if</p> <p>50:13 you have too many people with too many different</p> <p>50:14 ideas running around. So the idea was to have a</p> <p>50:15 policy.</p> <p>50:16 Now, obviously if we took the trade</p> <p>50:17 recommendations, it's not going to make all of</p> <p>50:18 the NGOs happy. For instance, with eggs the</p> <p>50:19 big issue there was cage free everybody was after,</p> <p>50:20 and we didn't go that far. We went to the</p> <p>50:21 industry-accepted practice.</p> <p>50:22 Q. Uh-huh.</p> <p>50:23 A. So while we were developing a consistent</p> <p>50:24 set of principles that the, by and large, the</p> <p>50:25 industry was already following. But it gave us a</p> <p>51:01 response that, again, would be consistent, maybe</p> <p>51:02 not the best liked, but it's consistent to whoever</p> <p>51:03 asked.</p> | | |
| 51:09 - 51:10 | Amundson, Curtis 2014-04-03 | 00:00:11 | CAM.43 |
|  98.1.1 | <p>51:09 Q. So I hand you what we've marked as</p> <p>51:10 Amundson 10. This is KRA00014791.</p> | | |
| 51:16 - 52:06 | Amundson, Curtis 2014-04-03 | 00:00:47 | CAM.44 |
|  98.1.2 | <p>51:16 Q. Do you know what this document is?</p> <p>51:17 A. Yeah. It's the -- I don't know if</p> <p>51:18 this was a final draft, but it's certainly a</p> <p>51:19 restatement primarily of what was the draft of the</p> <p>51:20 deck.</p> <p>51:21 Q. And this was -- this doesn't have a date</p> <p>51:22 on the face. I can represent that the electronic</p> <p>51:23 date was 6/19/2006 on the document.</p> <p>51:24 Was this Kraft's animal welfare policy?</p> <p>51:25 Does this represent the substance of Kraft's</p> <p>52:01 animal welfare policy?</p> <p>52:02 A. Yes.</p> <p>52:03 Q. Do you know exactly when Kraft formally</p> <p>52:04 adopted the policy?</p> <p>52:05 A. I do not know when the -- I do not</p> | | |

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| DESIGNATION | SOURCE | DURATION | ID |
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| | 52:06 know when they formally adopted the policy. | | |
| 52:07 - 52:10 | Amundson, Curtis 2014-04-03 | 00:00:11 | CAM.45 |
|  Clear | 52:07 Practically it would have been when contract | | |
| | 52:08 changes came into place. So it wouldn't have been | | |
| | 52:09 tomorrow all of these things happened as they were | | |
| | 52:10 renewed. | | |
| 52:11 - 55:11 | Amundson, Curtis 2014-04-03 | 00:03:22 | CAM.46 |
| | 52:11 Q. Okay. And the policy was implemented | | |
| | 52:12 through contracts with suppliers, right? | | |
| | 52:13 A. Through contracts and POs, as mentioned in | | |
| | 52:14 here. | | |
| | 52:15 Q. Do you know why Kraft chose to implement | | |
| | 52:16 its policy through contractors with suppliers | | |
| | 52:17 rather than recommending its suppliers follow | | |
| | 52:18 certain practices? | | |
| | 52:19 A. Contracts are agreed-to terms that must be | | |
| | 52:20 met. I can tell anybody that I'd like them to do | | |
| | 52:21 something. | | |
| | 52:22 Q. Okay. And in the second page there's | | |
| | 52:23 some discussion -- in the second and third page, | | |
| | 52:24 actually, there's some discussion of audits. | | |
| | 52:25 A. Uh-huh. | | |
|  98.2.1 | 53:01 Q. And it notes that "Suppliers will be | | |
| | 53:02 required to conduct a third-party animal welfare | | |
| | 53:03 audit on an annual basis." | | |
| | 53:04 Why was auditing a part of the Kraft | | |
| | 53:05 policy? | | |
|  Clear | 53:06 A. Well, in the -- first of all, I need | | |
| | 53:07 to talk about the slaughter, because I'm not sure | | |
| | 53:08 how the egg audits went. I know that there was | | |
| | 53:09 something in UEP about that. | | |
| | 53:10 Q. Uh-huh. | | |
| | 53:11 A. But in slaughter proving that a third | | |
| | 53:12 party assesses the effectiveness of the stun and | | |
| | 53:13 kill were one of the keys to having a positive | | |
| | 53:14 animal welfare effect. | | |
| | 53:15 I mean, the idea is to make sure that the | | |
| | 53:16 animal is insensible before it's killed, and that | | |
| | 53:17 it's completely dead before disassembly takes | | |
| | 53:18 place. | | |

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| | 53:19 | And the way the industry approached that | |
| | 53:20 | was to have third-party auditors go in at least | |
| | 53:21 | once a year and measure X number of animals. It | |
| | 53:22 | was a program started by Temple Grandin. And that | |
| | 53:23 | was widely, widely accepted by the rest of the | |
| | 53:24 | slaughter industry. | |
| | 53:25 | Q. So was it important for Kraft not just | |
| | 54:01 | that its suppliers have the appearance of having | |
| | 54:02 | animal welfare policies, but that they actually | |
| | 54:03 | practice what they preach? | |
| | 54:04 | A. The objective of -- and you can tell that | |
| | 54:05 | with our Newberry plant, that we did the same | |
| | 54:06 | thing to ourselves. | |
| | 54:07 | Q. Uh-huh. | |
| | 54:08 | A. The objective was to meet the industry | |
| | 54:09 | standards for animal welfare and handling. It's | |
| | 54:10 | not -- I mean, that was obvious that something | |
| | 54:11 | had to be done that was -- that had numerical | |
| | 54:12 | data that was actually measured, that was actually | |
| | 54:13 | checked, otherwise what's the point? | |
| | 54:14 | Q. Yeah. Okay. | |
|  98.2.2 | 54:15 | A little further down under "Rationale," | |
| | 54:16 | the third sentence there notes that "Animal | |
| | 54:17 | welfare experts were involved in the formulation | |
| | 54:18 | of most of the industry guidelines." Is that | |
| | 54:19 | true? | |
| | 54:20 | A. Uh-huh. | |
| | 54:21 | Q. Is that true of UEP guidelines? | |
| | 54:22 | A. I believe UEP had the committee that put | |
| | 54:23 | those -- that supposedly put those guidelines | |
| | 54:24 | together. | |
| | 54:25 | Q. Are you referring to what's been called | |
| | 55:01 | the Scientific Advisory Committee? | |
| | 55:02 | A. Yeah. | |
| | 55:03 | Q. Did you review who the members were of | |
| | 55:04 | that Scientific Advisory Committee at that point? | |
| | 55:05 | A. I read the names. It's included in the | |
| | 55:06 | UEP guidelines. | |
| | 55:07 | Q. Okay. Was it your understanding when you | |
| | 55:08 | were working on these animal welfare issues that | |
| | 55:09 | that Scientific Advisory Committee had real input | |

CAM

| DESIGNATION | SOURCE | DURATION | ID |
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| | 55:10 into the development of the UEP guidelines? | | |
| | 55:11 A. That was my assumption. | | |
| 55:18 - 55:20 | Amundson, Curtis 2014-04-03 | 00:00:05 | CAM.47 |
| | 55:18 Q. Did you -- did anything ever undermine | | |
| | 55:19 that assumption? | | |
| | 55:20 A. No. | | |
| 60:22 - 60:24 | Amundson, Curtis 2014-04-03 | 00:00:13 | CAM.48 |
|  88.1.1 | 60:22 Q. I'm going to hand you what was marked | | |
| | 60:23 Exhibit 13. This might be one of the ones you | | |
| | 60:24 were discussing. This is KRA00027999. | | |
| 60:25 - 61:05 | Amundson, Curtis 2014-04-03 | 00:00:11 | CAM.49 |
| | 60:25 A. Okay. | | |
| | 61:01 Q. Do you recognize this document? | | |
| | 61:02 A. Uh-huh. | | |
| | 61:03 Q. What is this document? | | |
| | 61:04 A. It's a response to a -- to the phone call | | |
| | 61:05 that I made to Rose Acre. | | |
| 61:13 - 61:21 | Amundson, Curtis 2014-04-03 | 00:00:21 | CAM.50 |
|  88.1.2 | 61:13 Let's look at the bottom email here, which | | |
| | 61:14 looks like an email from you to Greg Hinton. Do | | |
| | 61:15 you see that? | | |
| | 61:16 A. Uh-huh. | | |
| | 61:17 Q. And this is May 20, 2005, right? | | |
| | 61:18 A. Correct. | | |
| | 61:19 Q. And you note, you say "Greg, enjoyed | | |
| | 61:20 discussion poultry animal welfare with you and | | |
| | 61:21 KY today." | | |
| 61:22 - 62:04 | Amundson, Curtis 2014-04-03 | 00:00:22 | CAM.51 |
| | 61:22 Is KY someone else at Rose Acre? | | |
| | 61:23 A. I don't remember. | | |
| | 61:24 Q. You don't remember. Okay. | | |
| | 61:25 Is Greg employed by Rose Acre? | | |
| | 62:01 A. That would be Greg Hinton. | | |
| | 62:02 Q. Greg Hinton. | | |
| | 62:03 A. I thought he was. It says "GoodEgg.com," | | |
| | 62:04 though, so I'm not sure, up here. | | |
| 62:05 - 62:12 | Amundson, Curtis 2014-04-03 | 00:00:19 | CAM.52 |
|  88.1.4 | 62:05 Q. Okay. And your email goes on, "The | | |
| | 62:06 address information for the latest audit is as | | |

CAM

| DESIGNATION | SOURCE | DURATION | ID |
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| | 62:07 follows," and it provides your address. | | |
| | 62:08 In that conversation had you asked | | |
| | 62:09 Rose Acre to send you their latest animal welfare | | |
| | 62:10 audit? | | |
| | 62:11 A. If they communicated that they had done | | |
| | 62:12 the audits, I asked them to send me an example. | | |
| 62:13 - 63:09 | Amundson, Curtis 2014-04-03 | 00:00:46 | CAM.53 |
|  88.1.3 | 62:13 Q. Okay. And Greg replies here, if you look | | |
| | 62:14 at the email above, it says "We will be sending | | |
| | 62:15 you the audit information today." | | |
| | 62:16 And he goes on "Will you be including the | | |
| | 62:17 UEP animal welfare program as a requirement in the | | |
| | 62:18 upcoming egg bid?" Do you see that? | | |
| | 62:19 A. Uh-huh. | | |
| | 62:20 Q. And he goes on to ask whether "Kraft has | | |
| | 62:21 an interest in putting the animal care certified | | |
| | 62:22 logo on its labels." Do you see that? | | |
| | 62:23 A. Yes. | | |
| | 62:24 Q. Did you ever respond to those questions | | |
| | 62:25 from him? | | |
| | 63:01 A. I did not, because I'm not involved in | | |
| | 63:02 the egg bids or egg contracts. | | |
| | 63:03 Q. Okay. Do you know whether anyone else at | | |
| | 63:04 Kraft responded? | | |
| | 63:05 A. I don't know if anybody else responded. | | |
| | 63:06 Q. Okay. Do you know whether Kraft ever put | | |
| | 63:07 an animal care certified or UEP certified logo on | | |
| | 63:08 any products? | | |
| | 63:09 A. To the best of my knowledge, we never did. | | |
| 63:15 - 63:16 | Amundson, Curtis 2014-04-03 | 00:00:10 | CAM.54 |
|  83.1.1 | 63:15 Q. I'll hand you what we'll mark as | | |
| | 63:16 Exhibit 14, KRA00049855. | | |
| 63:17 - 63:18 | Amundson, Curtis 2014-04-03 | 00:00:02 | CAM.55 |
| | 63:17 MR. CAMPBELL: What number is this? | | |
| | 63:18 MS. ANSARI: Fourteen. | | |
| 63:20 - 63:20 | Amundson, Curtis 2014-04-03 | 00:00:02 | CAM.56 |
| | 63:20 Q. Okay. Do you know what this document is? | | |
| 63:21 - 63:24 | Amundson, Curtis 2014-04-03 | 00:00:05 | CAM.57 |
| | 63:21 A. Uh-huh. | | |

CAM

| DESIGNATION | SOURCE | DURATION | ID |
|---|---|----------|--------|
| | 63:22 Q. What is this document? | | |
| | 63:23 A. It's the response to the previous request | | |
| | 63:24 from -- to Rose Acre. | | |
| 63:25 - 64:02 | Amundson, Curtis 2014-04-03 | 00:00:04 | CAM.58 |
| | 63:25 Q. Okay. This is Rose Acre's response to | | |
| | 64:01 your previous request? | | |
| | 64:02 A. Uh-huh. | | |
| 64:03 - 64:12 | Amundson, Curtis 2014-04-03 | 00:00:26 | CAM.59 |
| | 64:03 Q. Okay. Let's look to the bottom of this | | |
| | 64:04 first page here. The third line up, do you see | | |
| | 64:05 where it notes "You will see a time period for | | |
|  83.1.2 | 64:06 implementations of cage space allowances for | | |
| | 64:07 layers." | | |
| | 64:08 A. Uh-huh. | | |
| | 64:09 Q. "This part was staged to make sure that | | |
| | 64:10 we as an industry do not short the market, | | |
| | 64:11 therefore having less supply, which will cause | | |
| | 64:12 problems for our customers." | | |
| 64:13 - 64:24 | Amundson, Curtis 2014-04-03 | 00:00:38 | CAM.60 |
| | 64:13 Did Kraft have any position on the time | | |
| | 64:14 period for implementing the UEP's space allowance | | |
| | 64:15 for layers? | | |
| | 64:16 A. Explain. | | |
| | 64:17 Q. So he notes that with respect to the | | |
| | 64:18 UEP policy, there's a certain time period for | | |
| | 64:19 implementing cage space, and that the | | |
| | 64:20 implementation of the UEP cage space policy was | | |
| | 64:21 staged, meaning rather than done all at once. | | |
| | 64:22 And it was done that way to ensure that the | | |
| | 64:23 industry didn't short the market. | | |
| | 64:24 A. Uh-huh. | | |
| 64:25 - 65:03 | Amundson, Curtis 2014-04-03 | 00:00:10 | CAM.61 |
| | 64:25 Q. Did Kraft have a position on whether or | | |
| | 65:01 not it favored a staged approach as opposed to an | | |
| | 65:02 all-at-once approach or position? | | |
| | 65:03 A. No, not that I'm aware of. | | |
| 65:04 - 65:12 | Amundson, Curtis 2014-04-03 | 00:00:25 | CAM.62 |
|  Clear | 65:04 Q. Did you or your work on the animal welfare | | |
| | 65:05 committee consider how the UEP animal welfare | | |

CAM

| DESIGNATION | SOURCE | DURATION | ID |
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| | 65:06 guidelines might have affected the supply of eggs, 65:07 if at all? 65:08 A. No. 65:09 Q. Your concern was more with the other 65:10 aspects of animal welfare? 65:11 A. I was much more in depth with slaughter 65:12 and the handling of animals for slaughter. | | |
| 73:22 - 74:02 | Amundson, Curtis 2014-04-03 73:22 Q. Did anyone at Kraft involved in the 73:23 animal welfare task force discuss with you 73:24 whether it mattered to Kraft what FMI and NCCR 73:25 had to say about these guidelines? 74:01 A. I don't recall anybody mentioning that to 74:02 me. | 00:00:21 | CAM.63 |
| 74:16 - 75:08 | Amundson, Curtis 2014-04-03 74:16 Q. Okay. And how would it have been 74:17 interesting to you that FMI and NCCR were 74:18 endorsing the UEP program? 74:19 A. Well, okay, FMI and NCCR were the, as 74:20 I recall, one of the first people to start putting 74:21 out third-party audits. 74:22 And so, you know, they took a run at it, 74:23 and I don't remember what any of their guidelines 74:24 or know what any of their guidelines are, but it 74:25 would have been interesting because they were the 75:01 first to take a run at it. 75:02 Q. Uh-huh. So their -- 75:03 A. Third-party. 75:04 Q. -- opinion would have been interesting 75:05 because of their early involvement? 75:06 A. Well, especially if it came up with 75:07 something significantly different than what the 75:08 producer organization had indicated. | 00:00:49 | CAM.64 |
| 86:15 - 86:20 | Amundson, Curtis 2014-04-03 86:15 Q. Would you say that animal welfare activity 86:16 was something that Kraft's customers, Kraft's 86:17 peers and NGOs focused on the issue were paying 86:18 more attention to in these last several years? 86:19 A. I think you would be safe in saying that, 86:20 yes. | 00:00:25 | CAM.65 |

 Clear

CAM

| DESIGNATION | SOURCE | DURATION | ID |
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| 95:22 - 96:12 | Amundson, Curtis 2014-04-03 | 00:00:40 | CAM.66 |
|  83.1.3 | 95:22 Q. Can you -- the first sentence -- | | |
| | 95:23 Exhibit 14 is a letter from Rose Acre Farms | | |
| | 95:24 that they sent to you, correct? | | |
| | 95:25 A. Uh-huh. Yes, it is. | | |
| | 96:01 Q. And the first line in the second paragraph | | |
| | 96:02 states that "Rose Acre has been a big part of this | | |
|  83.1.4 | 96:03 program since its inception in 2002," correct? | | |
| | 96:04 A. Correct. | | |
| | 96:05 Q. What did you understand this program to | | |
| | 96:06 be? | | |
| | 96:07 A. I understood the program to be the | | |
| | 96:08 UEP animal welfare program. | | |
| | 96:09 Q. Okay. Was it your understanding that | | |
| | 96:10 Rose Acre started implementing the UEP program | | |
| | 96:11 in 2002? | | |
| | 96:12 A. Based on what they said here, yes. | | |
| 97:02 - 97:08 | Amundson, Curtis 2014-04-03 | 00:00:19 | CAM.68 |
|  Clear | 97:02 Q. In May 2005 had Kraft adopted an animal | | |
| | 97:03 welfare policy? | | |
| | 97:04 A. No. | | |
| | 97:05 Q. Okay. So based on this letter, | | |
| | 97:06 Exhibit 14, is it possible that Rose Acre | | |
| | 97:07 adopted the UEP guidelines at the request of | | |
| | 97:08 Kraft? | | |
| 97:10 - 97:10 | Amundson, Curtis 2014-04-03 | 00:00:02 | CAM.69 |
| | 97:10 A. No, it would not be possible. | | |
| 97:12 - 97:15 | Amundson, Curtis 2014-04-03 | 00:00:11 | CAM.70 |
| | 97:12 Q. Go ahead. And based on this letter, | | |
| | 97:13 Exhibit 14, do you believe that Rose Acre adopted | | |
| | 97:14 the UEP guidelines in reliance on Kraft's request | | |
| | 97:15 that Rose Acre adopt those guidelines? | | |
| 97:17 - 97:19 | Amundson, Curtis 2014-04-03 | 00:00:08 | CAM.71 |
| | 97:17 A. We did not -- no. They could not have | | |
| | 97:18 adopted them based on Kraft's recommendation in | | |
| | 97:19 2002 to my knowledge. | | |

Defense

00:27:01

CAM

| | |
|--------------------------------|-----------------|
| Plaintiff | 00:04:50 |
| Response to Plaintiff Counters | 00:00:51 |
| TOTAL RUN TIME | 00:32:41 |



Documents linked to video:

73
83
84
88
89
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1228